

**REMARKS**

**Information Disclosure Statement:**

Applicant thanks the Examiner for initialing and returning Form PTO/SB/08 A & B filed on September 14, 2004, thus indicating that the references listed thereon have been considered.

***35 U.S.C. § 103(a) Rejection - Claims 1-11:***

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent No. EP 898 421 to Imai (assigned to FUJI PHOTO FILM CO., LTD.) in view of U.S. Patent No. 5,686,733 to Fallone et al., in further view of U.S. Patent No. 5,729,021 to Brauers et al.

As the Examiner acknowledges, Fallone discloses doping of an a-Se layer with As and Cl. However, Fallone does not teach or suggest providing an electrode layer directly on the a-Se layer by vapor deposition, as in the present invention. On the other hand, Brauers discloses doping a cladding layer formed of a-Se with As. Brauers does not, however, disclose providing an electrode layer on the cladding layer by vapor deposition.

Applicant respectfully submits that obviousness cannot be established by simply combining the references, absent some suggestion or teaching within the references supporting the combination. *Carella v. Starlight Archery*, 804 F.2d 135, 231 USPQ 644 (Fed. Cir. 1986). In the present case, there is no suggestion or teaching to combine the cited references.

For example, none of the cited references solve the problem of crystallization within a recording light photoconductive layer, due to direct vapor deposition of an electrode layer

thereon. Accordingly, one would not have been motivated to apply the doping disclosed in Fallone and Brauer, to the radiation image recording medium of Imai, nor would it have been obvious for one skilled in the art to combine the teachings of the references. Moreover, to further emphasize the distinctions between claims 1 and 8, and the applied art, these claims are amended to recite that the second electrode layer is formed on the recording photoconductive layer by vapor deposition. This feature, in combination with the other recited features, contributes to providing a novel and unobvious image recording medium that is neither taught nor suggested by the applied art.

Accordingly, the rejection of claim 1 and 11 under 35 U.S.C. § 103(a) should be withdrawn. The rejection of claims 2-10 should similarly be withdrawn at least due to these claims respectively depending from claim 1.

***35 U.S.C. § 103(a) Rejection - Claims 12-17:***

Claims 12-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Imai in view of Fallone, in further view of Brauers, and in further view of U.S. Patent No. 4,990,420 to Urabe.

Urabe discloses resistance heating deposition as a method for forming a recording photoconductive layer including Se. However, the disclosure of Urabe merely mentions that a resistance heating deposition method exists. Urabe does not, however, disclose that resistance heating deposition is employed to cause the concentration of As, at the surface of a photoconductive layer, to be higher than that within the bulk of the layer, that is, to prevent crystallization at the layer of the photoconductive layer due to vapor deposition of electrodes

thereon, unlike the features provided by the inventions of claims 12 and 15. Urabe does not solve the problem of suppressing crystallization of a recording photoconductive layer due to vapor deposition of an electrode layer thereon.

Accordingly, one would not have been motivated, or found it obvious, to combine the teachings of Imai, Fallone and Brauer to perform doping, nor would one have been motivated to employ the resistance heating deposition disclosed in Urabe. Moreover, to further emphasize the features of claims 12 and 15, these claims are amended to recite that the second electrode layer is formed on the recording photoconductive layer by vapor deposition, after the recording photoconductive layer is formed. As one skilled in the art would appreciate, this feature further emphasizes the novel and unobvious aspects of claims 12 and 15, while further supporting the lack of teaching or suggestion to combine the references.

Accordingly, the rejection of claims 12 and 15 under 35 U.S.C. § 103(a) should be withdrawn. The rejection of claims 13, 14, 16 and 17 should similarly be withdrawn at least due to these claims respectively depending from claims 12 and 15.

**Conclusion:**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.114(c)  
Application Number: 10/630,736

Our Ref: Q76736  
Art Unit: 2878

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

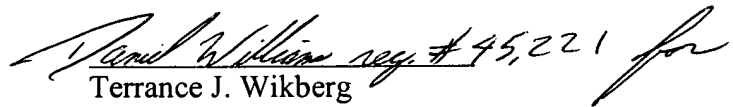
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
Terrance J. Wikberg  
Registration No. 47,177

Date: April 13, 2005